

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

LEO A. ZIMMER,	)	CASE NO. 1:19-cv-1412
	)	
Petitioner,	)	JUDGE DAN AARON POLSTER
	)	
vs.	)	<u>MEMORANDUM OF OPINION</u>
	)	<u>AND ORDER</u>
NEIL TURNER, Warden,	)	
	)	
Respondent.	)	

Before the Court is the Report and Recommendation of Magistrate Judge Kathleen B. Burke (“R&R”) (**Doc #. 13**), which recommends that Petitioner’s 28 U.S.C. § 2254 petition for writ of habeas corpus (**Doc. # 1**) be denied.

Under the relevant statute,

Within *fourteen* days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1) (emphasis added). A copy of the R&R was mailed to Petitioner on May 15, 2020. It is now June 15, 2020, and Petitioner has yet to file any written objection to the R&R.

The failure to timely file written objections to a Magistrate Judge's R&R constitutes a waiver of the right to obtain a de novo review of the R&R in the district court. Id.; United States v. Walters, 638 F.2d 947, 949 (6th Cir. 1981). The failure to file written objections also results in a waiver of the right to appeal. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985).

The Court has reviewed the Magistrate Judge's thorough and well-written R&R. The Court agrees with the Magistrate Judge that Petitioner's claims are barred by the one-year statute of limitations. 28 U.S.C. § 2244(d)(1). Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R (**Doc. # 13**) and **DENIES** the petition for writ of habeas corpus (**Doc. # 1**).

**IT IS SO ORDERED.**

/s/ Dan Aaron Polster    June 15, 2020  
**Dan Aaron Polster**  
**United States District Judge**